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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Smith, et al.

Serial No.: 10/776,959

Filed: 2/11/2004

Title: SENSOR AND METHOD FOR
DETECTING A PATIENT'S
MOVEMENT VIA POSITION AND
OCCLUSION

Group Art Unit: 2832

Examiner: Unknown

Attorney Docket No.: 57609/04-013

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
☐ Statement under 37 CFR 1.97(e), or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
☐ Statement under 37 CFR 1.97(e), and
☐ a \$180.00 petition fee set forth in 37 CFR 1.17(p).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation. Under the new waiver of the requirement of 37 CFR 1.98 (a)(2)(i), copies of the cited U.S. references are not being supplied with this Information Disclosure Statement and Form 1449.

Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or the correspondence is being facsimile transmitted to the USPTO, on the date indicated below.

Date of Deposit: June 25, 2004

Typed Name: Carol Welch

Signature: Carol Welch

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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

Application Number	10/776,959
Filing Date	02/11/2004
First Named Inventor	SMITH
Art Unit	2832
Examiner Name	
Attorney Docket Number	57609/04-013

Sheet	1	of	2
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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US-4,179,692	12/18/1979	Vance	
	BB	US-4,295,133	10/13/1981	Vance	
	CC	US-4,484,043	11/20/1984	Musick, et al.	
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	FF	US-DES 361,462	8/22/1995	Newham	
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	HH	US-5,600,108	2/4/1997	Newham	
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	MM	US-5,945,914	8/31/1999	Holmes, et al.	
	NN	US-6,065,727	5/23/2000	Fitzgerald et al.	
	OO	US-6,111,509	8/29/2000	Holmes	
	PP	US-6,292,102	9/18/2001	Smith	
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	VV	US-6,696,653	2/24/2004	Smith, et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

Examiner Signature	Date Considered
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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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